IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

CHRISS W. STREET,

Plaintiff,

CIVIL ACTION NO. 07-65 ***

v.

THE END OF THE ROAD TRUST AND AMERICAN TRAILER INDUSTRIES, INC.,

Defendants.

PETITIONER CHRISS W. STREET'S MOTION TO REMAND TO COURT OF CHANCERY OF THE STATE OF DELAWARE OR FOR ABSTENTION UNDER 28 U.S.C. § 1334(C)

Chriss W. Street moves this Court under 28 U.S.C. § 1447(c) to remand this case to the Court of Chancery of the State of Delaware. The grounds for this motion are set out in Chriss W. Street's Memorandum in Support of Motion to Remand to Court of Chancery of the State of Delaware or for Abstention Under 28 U.S.C. § 1334 (c) filed contemporaneously herewith.

WHEREFORE, Petitioner Chriss W. Street asks that this Court enter an Order: (1) remanding this matter to the Court of Chancery for lack of jurisdiction or; (2) enter an Order abstaining from taking jurisdiction of this matter and remanding it to the Court of Chancery of the State of Delaware; and (3) grant Chriss W. Street his fees and costs associated with the removal of this action and this motion.

Dated: February 14, 2007

Edmond D. Johnson (No. 2257) Phillip T. Mellet (No. 4741 PEPPER HAMILTON LLP Hercules Plaza, Suite 5100 1313 N. Market Street P.O. Box 1709 Wilmington, DE 19899-1709 (302) 777-6500

- and -

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Attorneys for Chriss W. Street

CERTIFICATE OF SERVICE

I, Edmond D. Johnson, hereby certify that on February 14, 2007 a true and correct copy of the foregoing *Petitioner Chriss W. Street's Motion to Remand to Court of Chancery of the State of Delaware or For Abstention Under 28 U.S.C. § 1334(c)* was served upon the following parties in the manner indicated:

VIA HAND DELIVERY:

David L. Finger, Esquire FINGER & SLANINA, LLC Once Commerce Center 1201 Orange Street, Ste. 725 Wilmington, DE 19801-1155

Edmond D. Johnson (Del. Bar No. 2257)